



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

Eiruv Daf Ayin Aleph

- **R' Nachman** had paskened that one who inherits rights on Shabbos may relinquish his rights that very day to allow people in the chatzer to carry.
 - **Q:** A Braisa says, if a Yid and a ger live in the same chatzer, and the ger died before Shabbos with a Yid inheriting his property, it is assur to carry in that chatzer. If one may relinquish rights inherited by him on Shabbos, why can't he relinquish those rights and allow carrying? **A:** The Braisa means that it is assur to carry *until* he relinquishes his rights.
 - **R' Yochanan** says these last 2 Braisos that seem to say that an inheritor can't relinquish rights on Shabbos are not because they are discussing an inheritor, it is because they follow **B"S** who say that rights may never be relinquished on Shabbos. **B"H** say that rights may be relinquished on Shabbos.
 - **Ulla** explains that **B"H** hold, when one relinquishes his rights on Shabbos it shows that he wanted to allow carrying in the chatzer even before Shabbos began, and that he wanted to relinquish his rights then as well.
 - **Q: Abaye** asked, according to this understanding, if a goy resident in the chatzer died on Shabbos, we should not allow the Yid to relinquish his rights!? **A: Abaye** therefore explains the machlokes, that **B"S** say that relinquishing rights is like a transaction, which may not be done on Shabbos. **B"H** say relinquishing rights is merely removing oneself from the chatzer, which may be done on Shabbos.

MISHNA

- If one is a partner with his neighboring chatzeiros, to each chatzer he is a partner in some wine, they do not need to make an eiruv to allow carrying in the mavoi (the jointly owned wine acts as a shituf). If he is a partner with one chatzer in some wine and with the other chatzer in some oil, he does need to set up an eiruv. **R' Shimon** says, in either case he does not need to set up an eiruv.

GEMARA

- **Rav** said, the **T"K** says that the partnership obviates the need for an eiruv only when all the wine is kept in one keili.
 - **Rava** said, this can be proven from the fact that the Mishna says that if the partnership was of wine with one neighbor and of oil with another neighbor, an eiruv must be established. It makes no sense why the halacha should be different just because the partnership includes different foods. It must therefore be that the beginning of the Mishna is discussing where the items were placed in one keili and the next part of the Mishna is discussing where the items were placed in 2 separate keilim.
 - **Abaye** said, both cases may be where the items were placed in separate keilim. The difference is, when all partnerships are in wine, they are fit to be combined. Therefore, even without being combined they are considered combined for eiruv purposes. Wine and oil are not fit to be combined and therefore cannot be considered an eiruv.

R' SHIMON OMER ECHAD ZEH V'ECHAD ZEH EIN TZRICHIN L'AREIV

- **Q:** Even if one is wine and the other is oil? **A: Rabbah** said, the Mishna is discussing the case where there is a chatzer that sits between two mavois, each with an entrance to the reshus harabim, and each with an entrance into the neighboring chatzer. In another Mishna, **R' Shimon** says that in a case where a middle chatzer has an eiruv with each outer chatzer, but the two outers done have with each other, items may be transferred between the middle and each

outer, but not between the two outers (and we are not goizer that allowing such transfer may lead to items being transferred from one outer to the other). Our Mishna is discussing where there was a partnership with wine with one of the mavois and a partnership with oil with the other mavois. **R' Shimon** says that the partnership with each mavois has the status of an shituf, even though they can't be combined with each other.

- **Q: Abaye** asks, it is not the same case as the other Mishna! There, the Mishna says that the outer chatzeiros are assur to each other. Here the Mishna says that "no eiruv is needed", which would mean that they are mutar to each other!? **A:** The Mishna means that the middle to each outer does not need an eiruv. However, the outers to each other would certainly need an eiruv.
- **R' Yosef** said that the **T"K** and **R' Shimon** are arguing in the machlokes of the **Rabbanan** and **R' Yochanan ben Nuri** whether oil floating on top of wine is considered to be combined with the wine or not (if a tamei person touches the oil, is the oil itself tamei, or does the wine become tamei as well). **R' Shimon** holds like **R' Yochanan ben Nuri** that they combine, and therefore they combine for eiruv purposes as well.
- **R' Elazar ben Tadai** says in a Braisa that even if all partnerships are in wine, a separate eiruv will need to be established.
 - **Rabbah** explains, if the partnership was established by them each bringing wine and pouring it into one keili, all would agree that it serves as an eiruv as well. The machlokes is where they used joint monies to buy a barrel of wine. In that case, **R' Elazar ben Tadai** says, since there was never any clear and distinct ownership in the wine by each party, it cannot act as an eiruv. The **T"K** of our Mishna says that we do view this as being separate and distinctly owned by the parties. Therefore it can serve as an eiruv.
 - **R' Yosef** explains that **R' Elazar ben Tadai** and the **T"K** of our Mishna argue with regard to whether a shituf made for a mavois can serve as an eiruv for the chatzeiros as well. **R' Elazar ben Tadai** says that it cannot and the **T"K** says that it can.
 - **R' Yosef** says, this can be proven from the fact that **R' Yehuda in the name of Rav** paskens like **R' Meir** that a shituf may not act as an eiruv for the chatzeiros, and **R' Bruna in the name of Rav** paskens like **R' Elazar ben Tadai**. Presumably **Rav** paskens like them both because the reasoning of the two of them is the same.
 - **Q: Abaye** asked, if the reasoning of them both is the same, why did **Rav** have to tell us to pasken like both of them? If he would tell us to pasken like **R' Meir** that a shituf of bread can't act as an eiruv for the chatzeiros, certainly we would pasken like **R' Elazar ben Tadai** that a shituf of wine cannot act as an eiruv for the chatzeiros!? **A: Rav** is teaching us that we don't follow a double chumra of one shita when dealing with eiruvim. Therefore he must pasken like **R' Elazar ben Tadai** that a shituf of wine won't act as an eiruv, then he can pasken like **R' Meir** that a shituf of bread will be treated the same way.
 - The shita of **R' Meir** that is being referred to is found in a Braisa. **R' Meir** says that an eiruv must be made using bread, and a shituf may be made using wine as well as bread. Also, to permit carrying in a chatzer and the mavois, an eiruv and a shituf must be made so as not to have the halachos of eiruv forgotten. The **Chachomim** say, either an eiruv or a shituf can be made. Both together are not necessary.
 - **R' Nechumi** and **Rabbah** argue. One says that all would agree that if the shituf was made using bread, a separate eiruv would be unnecessary, and **R' Meir** only argues when a shituf is made using wine. The other says, if a shituf is made using wine all agree that a separate eiruv is necessary. The **Rabanan** only argue when the shituf was made using bread.
 - **Q:** A Braisa says that the **Rabanan** say either an eiruv or a shituf need be made. Presumably this is even referring to a shituf made using wine!? **A: R' Gidal in the name of**

Rav said, it is referring only to a shituf made using bread.

- **R' Yehuda in the name of Rav** said that the halacha follows **R' Meir** (we pasken in public like him). **R' Huna** said the minhag is to follow **R' Meir** (we pasken this way for an individual who asks, but we don't announce this psak in a public shiur). **R' Yochanan** said the people have come to conduct themselves like **R' Meir** (we don't pasken like him at all, but we don't protest one who follows **R' Meir's** shita).